

APR 29 2002
PATENT & TRADEMARK OFFICE
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55-103

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WENMM/SB/21 (12/00)

MP

**TRANSMITTAL
FORM**

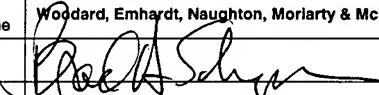
(to be used for all correspondence after initial filing)

		Application Number	10/052,096
		Filing Date	January 17, 2002
		First Named Inventor	James L. Chappuis
		Group Art Unit	3739
		Examiner Name	
Total Number of Pages in this Submission	21	Attorney Docket Number	4002-2923/PC664.00

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input checked="" type="checkbox"/> Drawing(s) - Formal	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	<input type="checkbox"/> Copy of Notice of Missing Parts
<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> Executed Declaration and Power of Attorney
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Submission of Formal Drawings	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Brad A. Schepers Woodard, Emhardt, Naughton, Moriarty & McNett
Signature	 Reg. No. 45,431
Date	April 18, 2002

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington D.C. 20231 on this date:

Typed or printed name	Brad A. Schepers
Signature	
Date	April 18, 2002

PC664.00/BX/55-103

APR 29 2002

WENMM/SB/17 (10-00)

Approved for use through 10/31/2002. OMB 0651-0032
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FEET TRANSMITTAL FOR FY 2002

Patent fees are subject to annual revision.

Total Amount of Payment (\$ 130.00)

Attorney Docket Number 4002-2923/PC664.00

Complete if Known

Application Number	10/052,096
Filing Date	January 17, 2002
First Named Inventor	James L. Chappuls
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METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

23-3030

Woodard, Emhardt, Naughton, Moriarty & McNett

Charge any Additional Fee Required
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.
See 37 CFR 1.27.

2. Payment Enclosed:

Check Credit Card Money Order Other

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge – late filing fee or oath	130
127	50	227	25	Surcharge – late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive – unavoidable	
141	1,280	241	640	Petition to revive – unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other Fee (specify)					
* Reduced by Basic Filing Fee Paid					SUBTOTAL (3) (\$ 130.00)

SUBTOTAL (2) (\$ ----)

* or number previously paid, if greater; For Reissues, see above

Other Fee (specify)

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00)

Complete if applicable

Name (Print/Type)	Brad A. Scheipers	Registration No. (Attorney/Agent)	45,431	Telephone	(317) 634-3456
Signature				Date	April 18, 2002

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

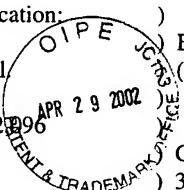
In re U.S. Patent Application:

James L. Chappuis et al.

Application No. 10/0521296

Filed January 17, 2002

SURGICAL INSTRUMENTATION
AND METHOD FOR FORMING A
PASSAGE IN BONE HAVING AN
ENLARGED CROSS-SECTIONAL
PORTION



Before the Examiner
(Unknown)

Group Art Unit

3739

) Our Ref.:

) 4002-2923/PC664.00

)

) April 18, 2002

)

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April 18, 2002

(Date of Deposit)

Brad A. Schepers

Name of Registered Representative

Signature

April 18, 2002

Date of Signature

RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION (FILING DATE GRANTED)

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

In response to the "Notice to File Missing Parts of Nonprovisional Application", dated February 19, 2002, Applicants hereby submit the executed Declaration for the above-referenced patent application. The Applicants are also submitting herewith formal drawings to be substituted for the drawings originally filed with the above-referenced patent application. A check in the amount of \$130.00, based on a non-small entity, is enclosed to cover the surcharge as set forth in 37 CFR 1.16(e). A copy of the Notice to File Missing Parts is also enclosed. The Commissioner is authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 23-3030, but not to include payment of issue fees.

Respectfully submitted:

Brad A. Schepers

Reg. No. 45,431

Woodard, Emhardt, Naughton Moriarty & McNett

Bank One Center Tower

111 Monument Circle, Suite 3700

Indianapolis, Indiana 46204-5137

(317) 634-3456



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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/052,096	01/17/2002	James L. Chappuis	4002-2923/PC664.00

APR 29 2002

U. S. PATENT & TRADEMARK OFFICE

Woodard, Emhardt, Naughton, Moriarty and McNett
Bank One Center/Tower
Suite 3700
111 Monument Circle
Indianapolis, IN 46204-5137

CONFIRMATION NO. 5835
FORMALITIES LETTER



OC00000007494088

Date Mailed: 02/19/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

A copy of this notice MUST be returned with the reply.

A-612 A/c

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART I - ATTORNEY/APPLICANT COPY

10052096-A04290



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application:

James L. Chappuis et al.

Application No. 10/052,096

Filed January 17, 2002

SURGICAL INSTRUMENTATION
AND METHOD FOR FORMING A
PASSAGE IN BONE HAVING AN
ENLARGED CROSS-SECTIONAL
PORTION

-) Before the Examiner
-) (Unknown)
-)
-) Group Art Unit
-) 3739
-)
-) Our Ref.:
-) 4002-2923/PC664.00
-)
-) April 18, 2002
-)

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April 18, 2002

(Date of Deposit)

Brad A. Schepers

Name of Registered Representative

Signature

April 18, 2002

Date of Signature

SUBMISSION OF FORMAL DRAWINGS

Assistant Commissioner for Patents
BOX DRAWING REVIEW BRANCH
Washington, D.C. 20231
Attn: Official Draftsperson

Sir:

Please file the attached formal drawings in the above-captioned patent application. The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23-3030, but not to include payment of issue fees.

Respectfully submitted,

By:

Brad A. Schepers

Reg. No. 45,431

Woodard, Emhardt, Naughton

Moriarty & McNett

Bank one Center/Tower

111 Monument Circle, Suite 3700

Indianapolis, IN 46204-5137

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